

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS  
Resolutions of Necessity  
Action Item

Prepared By:  
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CTC Meeting: May 9, 2002

Reference No.: 2.4b.

Original Signed By  
ROBERT L. GARCIA  
Chief Financial Officer  
May 1, 2002

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18499 through C-18527. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18499 - American Punjab Corporation

03-SUT-99-PM 25.07-Parcel 32652-1,2-EA-1A46U2 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, and a Temporary Construction Easement to reconstruct an irrigation ditch for the Oswald Water District, located in the unincorporated area of Yuba City between Messick and O'Banion Roads.

C-18500 - Amjud Amin

03-But-99-PM 43.13-Parcel 31827-1,2,3-EA338709 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a permanent easement for utility purposes to be conveyed to PG&E, located in the city of Chico at Highway 99 and Cana Highway. APN 47-100-142, APN 47-100-146, APN 47-100-148.

C-18501 - Contra Costa County Flood Control & Water Conservation District

04-CC-680-PM 20.9- Parcel 58059-1A,1B,1C,1D,1E - EA 228562 (Freeway) Authorizes condemnation of an easement for batter pile purposes, an easement for drainage purposes, a temporary easement for construction purposes, two temporary easements for access purposes, located in the unincorporated area of Contra Costa County at Grayson Creek.

C-18502 - Atomic Investments, Inc.

04-CC-680-PM 20.9- Parcel 58767-1 - EA 228562 (Freeway) Authorizes condemnation of a temporary easement for access purposes, located in the unincorporated area of Contra Costa County at 30 S. Buchanan Circle.

C-18503 - Perlant Pennington

07-LA-134-PM R1.1- Parcels 77945-1, 2, 3 - EA 061742 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, and a permanent easement for footing purposes, located in the city of North Hollywood at 11230 Hortense Street.

C-18504 - James Kirby, et al.

07-LA-138-KP 97.3-Parcels 76584-1, 2 -EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, located in the unincorporated area of Littlerock at the northeast corner of Pearblossom Highway and 133rd Street East.

C-18505 - Norayr Karayan, et al.

07-LA-138-KP 97.3-Parcels 76596-1, 2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Pearblossom at Pearblossom Highway near 135th Street.

C-18506 - Faye Garcia

07-LA-138-KP 97.3-Parcel 76601-1, 2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, located in the unincorporated area of Pearblossom at Pearblossom Highway east of Longview Road.

C-18507 - Bercutt Family Trust, et al.

07-LA-138-KP 98.1- Parcels 76577-1,2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Pearblossom at Pearblossom Highway west of 146th Street East.

C-18508 - Jae-Joon Kim, et al.

07-LA-138-KP 98.1-Parcels 76578-1,2,3-EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a permanent easement for drainage purposes, located in the unincorporated area of Pearblossom at Pearblossom Highway west of 146th Street East.

C-18509 - Robert W. Harris

07-LA-138-KP 98.1-Parcels 76580-1,2,3-EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, located in the unincorporated area of Pearblossom at the north side of Route 138 bounded by 136th Street to the west.

C-18510 - Mariette Hartley Boyriven, et al.

07-LA-138-KP 98.1-Parcels 76606-1, 2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Pearblossom at Route 138 between 135th Street and 165th Street.

C-18511 - James Han, et ux

07-LA-138-KP 98.9- Parcels 76572-1,2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Littlerock near Pearblossom Highway and four lots west of 146th Street East.

C-18512 - Michael H. Banks

07-LA-138-KP 98.9-Parcels 76574-1, 2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Pearblossom at Pearblossom Highway west of 146th Street East.

C-18513 - Smith Trust

07-LA-138-KP 98.9- Parcel 76613-1, 2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Pearblossom at Pearblossom Highway near 146th Street.

C-18514 - Domingo Del Rosario, et al.

07-LA-138-KP 98.9- Parcel 76614-1, 2 - EA 104839 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located in the unincorporated area of Littlerock at Pearblossom Highway.

C-18515 - Marinita Development Co., et al.

08-SBd-15-KP 79.25 - Parcel 18467-1,01-01 - EA 3555U9 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, land in fee which is a remnant and would have little market value, located in the Town of Apple Valley near NE quadrant of Rte 15 and Bell Mountain/Stoddard Wells Road Interchange.

C-18516 - Daniel C. K. Chen, et al.

08-SBd-15-KP 108.77 - Parcel 18461-1 - EA 3555U9 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Barstow near South of Tanger Outlet Stores on the West Side of Outlet Center Drive.

C-18517 - Bong Van Nguyen, et ux

08-SBd-15-KP 68.85/69.12 - Parcel 17996-1,2,3 - EA 3555U9 (Freeway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction, a permanent easement for Drainage, located in the Town of Apple Valley near SEC N.B. I-15 Frontage Road & Gridley Street.

C-18518 - The Burlington Northern & Santa Fe Railway Company

08-SBd-210-PM R28.07/R28.13-Parcel 18269-1,01-01-EA 443889 (Freeway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant sub-parcel outside the operating right of way, and would be of little market value, located in the city of Rialto, at S. E. Corner Highland Avenue and Ayala Drive.

C-18519 - Fidel Rosas, et ux

08-SBd-210-KP 34.05- Parcel 18381-1 - EA 444029 (Freeway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of San Bernardino at 2317 N. Flores Street.

C-18520 - Fidel Rosas, et ux

08-SBd-210-KP 34.07- Parcel 18380-1 - EA 444029 (Freeway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of San Bernardino at 2327 N. Flores Street.

C-18521 - Charles Harris, Trustee.

10-SJ-120-KP 15.5 - Parcel 14291 - EA OA7409 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, located near the city of Ripon near intersection of Hwy 120 and North Ripon Road.

C-18522 - Duane Drive Associates, a General Partnership

11-SD-52-KP 25.4- Parcel 27497 - EA 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of Santee at 9519-9545 Via Zapador.

C-18523 - Manuel & Patricia G. Barba, Trustees and University of San Diego

11-SD-125-KP 15.7- Parcel 32143 - EA 003009 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, excess land in fee to which the owner has consented, located in the unincorporated area of Bonita at the North side of San Miguel Road. Assessor's Parcel Nos. 585-112-50, 51, 52, 53.

C-18524 - Equilon Enterprises LLC, a Delaware Limited Liability Company

11-SD-905-KP 18.4- Parcel 31486 - EA 091809 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of San Diego between Airway Road and Otay Mesa Border Crossing. APN 646-144-03-00.

C-18525 - Pan American Development Company, LLC

11-Imp-7-KP 2.0- Parcel 31313-1,2,3,4 - EA 068009 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, two easements for access, an easement for road and utility purposes, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located near the city of Calexico at N of Rte 98, S of Heber Road, W of Alamo River APN# 059-140-26 & 27.

C-18526 - Carl Joseph Maggio

11-Imp-7-KP 7.8/8.23- Parcel 31321-1,2 - EA 068009 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for utility purposes, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located near the city of Calexico at S of McCabe Road, E of Orchard Road, APN# 055-210-01, 02 & 055-220-01, 03, 05, 06, & 08.

C-18527 - Al K. Kalin and Carson T. Kalin, Trustee.

11-Imp-111-KP 32.1- Parcel 31429-1,2 - EA 199369 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for highway construction, the right and easement to enter the remaining ownership to sever and shore certain improvement(s) at the right of way line, located in the city of Brawley at the NW corner of Demoulin Place and State Route 111. APN 040-140-18.